

COUNTY COUNCIL

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Gary L. Hooser
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OFFICE OF THE COUNTY CLERK


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MEMORANDUM

June 10, 2014

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Jay Furfaro, Council Chair 
RE: **JUNE 10, 2014 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its June 10, 2014 Council Meeting:

CONSENT CALENDAR:

C 2014-171 Communication (05/20/2014) from Council Chair Furfaro and Councilmember Rapozo, transmitting for Council consideration, a Resolution Proposing A Charter Amendment Relating To Any County Council Vacancy In Office. *(Received for the Record.)*

C 2014-172 Communication (05/23/2014) from the Director of Finance, transmitting for Council information, the Third Quarter Estimate of Revenues and Expenditures. *(Received for the Record.)*

COMMUNICATIONS:

C 2014-125 Communication (04/17/2014) from the County Attorney, requesting authorization to expend funds up to \$15,000 to retain Special Counsel to advise the Council concerning coverage under the County's insurance policy with Everest National Insurance Company, in connection with the lawsuit Tim Bynum vs. County of Kaua'i, et al., Civil No. CV12-00523 JMS-RLP (United States District Court), and related matters. *(Deferred.)*

C 2014-173 Communication (04/25/2014) from the Director of Parks and Recreation, requesting Council approval to accept a monetary donation in the amount of \$75.00, from Susan Sulla for Po'ipū Beach Park. *(Approved with thank-you letter to follow.)*

C 2014-174 Communication (05/12/2014) from the Housing Director, requesting Council approval for the following:

- 1) Acquisition of a residential unit at 3560 Piliāloha Street, Hanapēpē, Kauaʻi, Hawaiʻi, TMK: (4) 1-8-015-066, for a purchase price of not more than \$350,000 under the County's Community Development Block Grant (CDBG) Program based on the fee simple market appraisal;
- 2) Resale of 3560 Piliāloha Street, Hanapēpē, Kauaʻi, Hawaiʻi, by leasehold for not more than the leasehold market appraisal, which will be obtained through this transaction; and
- 3) Authorize the County Clerk to sign legal documents related to these transactions. ***(Approved.)***

C 2014-175 Communication (05/16/2014) from the Fire Chief, requesting Council approval to accept a donation in the amount of approximately \$7,200 from the Kauaʻi Lifeguard Association (KLA) for three (3) Beach Safety Displays valued at approximately \$2,400 each, these displays will be used for beachgoers at Brennecke's Beach, Poʻipū Beach Park, and 'Anini Beach Park. ***(Approved with thank-you letter to follow.)***

C 2014-176 Communication (05/23/2014) from the Housing Director, requesting Council approval for a leasehold sale of a residential unit located at 5116 Apelila Street, Kapaʻa, Kauaʻi, Hawaiʻi, under the County's Community Development Block Grant (CDBG) Program, TMK: (4) 4-6-036-115, to a participant on the Affordable Housing Waitlist whose household income does not exceed 80% of the Kauaʻi Median Household Income (KMHI), and to authorize the County Clerk to sign legal documents related to this transaction. ***(Approved.)***

C 2014-177 Communication (05/27/2014) from the Mayor, requesting agenda time for two (2) members from Smith Dawson & Andrews, Inc., President James Smith and Senior Legislative Associate Mary Cronin, to present a recap of the services and activities they provided to the County during the past year as part of their professional services contract. ***(Received for the Record.)***

LEGAL DOCUMENTS:

C 2014-178 Communication (05/15/2014) from the County Engineer, recommending Council approval of a Right-of-Entry Agreement between the County of Kauaʻi and the State of Hawaiʻi Department of Land and Natural Resources (DLNR), to allow the design consultant to conduct and gather the necessary topographic field survey information for the Kanaele Road Shoulder Reconstruction and Slope Stabilization Project, situated at por. of Kapaʻa Rice and Kula Lots, Kawaihau, Kauaʻi, Hawaiʻi, TMK (4) 4-5-015:030 and indemnify the State of Hawaiʻi Department of Land and Natural Resources as stated in the Agreement.

- Right-of-Entry Agreement
 - Indemnification provisions contained in the Right-of-Entry Agreement
- (Approved.)***

C 2014-179 Communication (05/28/2014) from the County Engineer, recommending Council approval of a Right-of-Entry Agreement between the County of Kaua'i and the State of Hawai'i Department of Education, for the resurfacing of Mailihuna Road, situated at Kapa'a, Hawai'i, TMK: 4-6-014-031 and indemnify the State of Hawai'i Department of Education as stated in the Agreement.

- Right-of-Entry Agreement
 - Indemnification provisions contained in the Right-of-Entry Agreement
- (Approved.)***

CLAIM:

C 2014-180 Communication (05/27/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Cameron Raymond, for damages to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2014-22 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO THE CODE OF ETHICS ***(Referred to the Committee of the Whole Meeting on July 2, 2014.)***

Resolution No. 2014-27 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO THE COST CONTROL COMMISSION ***(Motion to approve failed.)***

Resolution No. 2014-29, Draft 1 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO SETTING GOLF COURSE FEES ***(Motion to approve failed.)***

Resolution No. 2014-36 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO ANY COUNTY COUNCIL VACANCY IN OFFICE ***(Public hearing scheduled for July 9, 2014; Referred to the July 23, 2014 Council Meeting.)***

BILL FOR SECOND READING:

Bill No. 2544 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND ***(Office of Economic Development, Wages and Hourly Pay – Ka Aha Hula O Halauola Conference Assistant – \$12,000) (Approved as Amended to Bill No. 2544, Draft 1.)***

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)
KCT CCs (*Via E-mail*)
Council Services Staff (*Via E-mail*)